

**INTERVENORS AND CROSS-CLAIMANTS' UNOPPOSED MOTION FOR  
EXTENSION OF DEADLINES TO RESPOND TO ELKO COUNTY'S MOTION FOR  
PROTECTIVE ORDER AND TO COMPLETE DISCOVERY (first request)**

Intervenors and Cross-Claimants The Wilderness Society and Great Old Broads for Wilderness (collectively, TWS) respectfully request a five-week extension of the deadline to respond to Elko County's September 28, 2012 motion for protective order (Dkt. # 436), until November 16, 2012. TWS also seeks a commensurate five-week extension of the December 21, 2012 deadline for completing discovery, until January 25, 2013. Counsel for TWS has conferred with counsel for the United States and for Elko County, who indicated their clients do not oppose the requested extension.

On August 27, 2012, this Court reopened discovery in this case until December 21, 2012. Dkt. # 435. On September 6, TWS served a set of interrogatories and document requests on both the United States and Elko County. Pursuant to Federal Rules of Civil Procedure 33(b)(2) and 34(b)(2)(A), the United States' and Elko County's discovery responses currently are due October 9.

On September 28, Elko County moved for a protective order covering some of TWS's discovery requests. Dkt. # 436. Pursuant to Local Rule 7-2(b), TWS's response to Elko's motion currently is due October 12.

The United States has requested a three-week extension of its October 9 deadline to respond to discovery, until October 30. TWS is prepared to agree to that extension, provided that corresponding adjustments can be made to other deadlines. First, it would conserve the resources of the parties and the Court if TWS waits to respond to Elko's motion for protective order until it has the benefit of the United States' discovery responses. The United States and TWS are engaged in discussions about the scope of the government's discovery responses. Depending on the outcome of those discussions, the United States' responses could resolve many

of the discovery issues raised in Elko's motion. In any event, because TWS served the same discovery requests on both the United States and Elko County, it would be most efficient for TWS to respond to any objections from both Elko and the United States at the same time.

For those reasons, TWS requests a five-week extension of the deadline for responding to Elko's motion for protective order, until November 16. The requested extension – until seventeen days after the United States responds to the discovery requests – is reasonable.<sup>1</sup>

In addition, TWS respectfully requests a commensurate five-week extension of the December 21, 2012 deadline for completing discovery, until January 25, 2013. This extension is necessary to accommodate the five-week delay in the discovery process. None of the parties will be prejudiced by this delay.

Accordingly, good cause exists to extend the deadline for TWS to respond to Elko's motion for protective order by five weeks, until November 16, 2012, and to extend the deadline for completing discovery by five weeks as well, until January 25, 2013.

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<sup>1</sup> During much of the period after October 30, counsel for TWS must prepare for oral argument in the related case of Great Old Broads for Wilderness v. Kimbell, No. 11-16183, before the Ninth Circuit Court of Appeals. Oral argument is set for November 6. The November 16 deadline will provide TWS with ten days following the November 6 argument to respond to Elko's motion for protective order and any objections filed by the United States.

Respectfully submitted October 8, 2012.

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IT IS SO ORDERED:

  
UNITED STATES MAGISTRATE JUDGE

DATED: October 11, 2012.